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Docket No.: 2091-0289P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kouji YOKOUCHI

Application No.: 10/669,595

Confirmation No.: 1313

Filed: September 25, 2003

Art Unit: 2617

For: METHOD AND APPARATUS FOR SENDING
E-MAIL, METHOD AND APPARATUS FOR
RECEIVING E-MAIL, AND PROGRAMS
THEREFORE

Examiner: D. Phuong

DECLARATION UNDER 37 C.F.R. §1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. I, Norimassa Fukuo, am a Japanese patent attorney working in the office of Yanagida & Associates, which is Applicant's Japanese representative. I declare as follows:

2. I am aware of the pending U.S. Application No. 10/669,595 filed September 25, 2003. U.S. Application No. 10/669,595 claims priority to Japanese application 2002-281509, filed September 26, 2002. The pending claims are supported by Japanese application 2002-281509, filed September 26, 2002.

3. During prosecution of U.S. Application No. 10/669,595, the Examiner rejected claims 1-30 under 35 U.S.C. §102(e) as anticipated by Carter et al., US Publication

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Application No. 10/669,595

Docket No.: 2091-0289P

2004/0054732 (hereinafter referred to as Carter) filed on September 12, 2002. However, the present application was reduced to practice prior to September 12, 2002.

4. As evidence of the above, I provide the following discussion:

(i) I am a Japanese patent attorney working for Yanagida & Associates (Yanagida), a Japanese Patent firm working with Fuji Photo Film, Co., Ltd. (Fuji Film). Fuji Film is the owner of the present application and employs the inventors thereof. Yanagida worked to prepare and file Japanese application 2002-281509 on September 26, 2002. To this end, the following will show that prior to September 12, 2002, Japanese application 2002-281509 was complete and approved for filing in Japan.

(ii) Prior to September 12, 2002, Yanagida received instructions from Fuji Film instructing Yanagida to proceed with the filing of the completed specification, claims, abstract and drawing with the Japanese Patent Office. The instructions were received prior to September 12, 2002 and Yanagida proceeded to prepare application without changes to the content thereof. Suitable papers were also prepared in order to file the application with the Japanese Patent Office. This filing occurred on September 26, 2002. Attached, as Appendix 1, is a copy of the invention disclosure (including drawing) from Fuji Film and also drawings from Yanagida to Fuji Film to confirm Yanagida's understanding of the invention. Also attached are English translations thereof. The information contained within the disclosure and the drawings are sufficient to identify the application as that ultimately filed on September 26, 2002 and designated as Japanese application 2002-281509.

(iii) I am the person at Yanagida with actual knowledge of the above events and am also the person in charge of the Japanese patent application 2002-281509.

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END

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Application No. 10/669,595

Docket No.: 2091-0289P

I hereby declare that all statements made herein of my own knowledge are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Norimasa FUKUO

8/15/06
Date

Attachment: Invention disclosure and drawings prior to September 12, 2002 and English translation.

知財部 殿

発明開示書

26907 50-0846

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作成者: R1 横内

* 1. 発明の名称
メール送受信システム

* 2. 発明の技術分野

両社代表 5/31 着
* 3. 従来技術とその欠点 (他社特許、文献についてはコピー添付)

引用例	番号等	出願人等	備考
(1)	2009-250183		
(2)	2001-53861		
(3)			
(4)			

(本発明と従来技術の相違)

* 4. 発明が解決しようとする課題
携帯端末間でのメールの送受信システムはすでにある。

しかし従来では、送信先の受信条件を課することができなかった。
本発明では特に、受信条件として受信場所を設定できるようにする。

という構想を

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* 5. 課題を解決するための手段

メールを送信する際に、受信条件として“受信場所”を設定し送信。

送信されたメールは、メール処理サーバへ蓄積。

受信端末から場所の情報を取得し、設定された場所に端末が入ったと判断した場合にのみ、蓄積されたメールを受信端末に送信する。

従属

- ・場所を設定する際には、地図を表示し、指定させる。
- ・最初に表示する地図の場所は、前回指定した地点から表示。
- ・サーバは一定時間毎に、蓄積されているメールの送信先端末に対して、場所情報を送るように指示を出し、端末はその指示を受信した時にのみ、サーバに対して自分の位置情報を送信する。
- ・一定時間、受信端末から場所情報が送られてこなければ、送信。この場合、送信元にもその旨を伝える。
- ・設定できるのは、場所だけでなく、時間も？

GPSの
位置情報
をサーバに
送信する

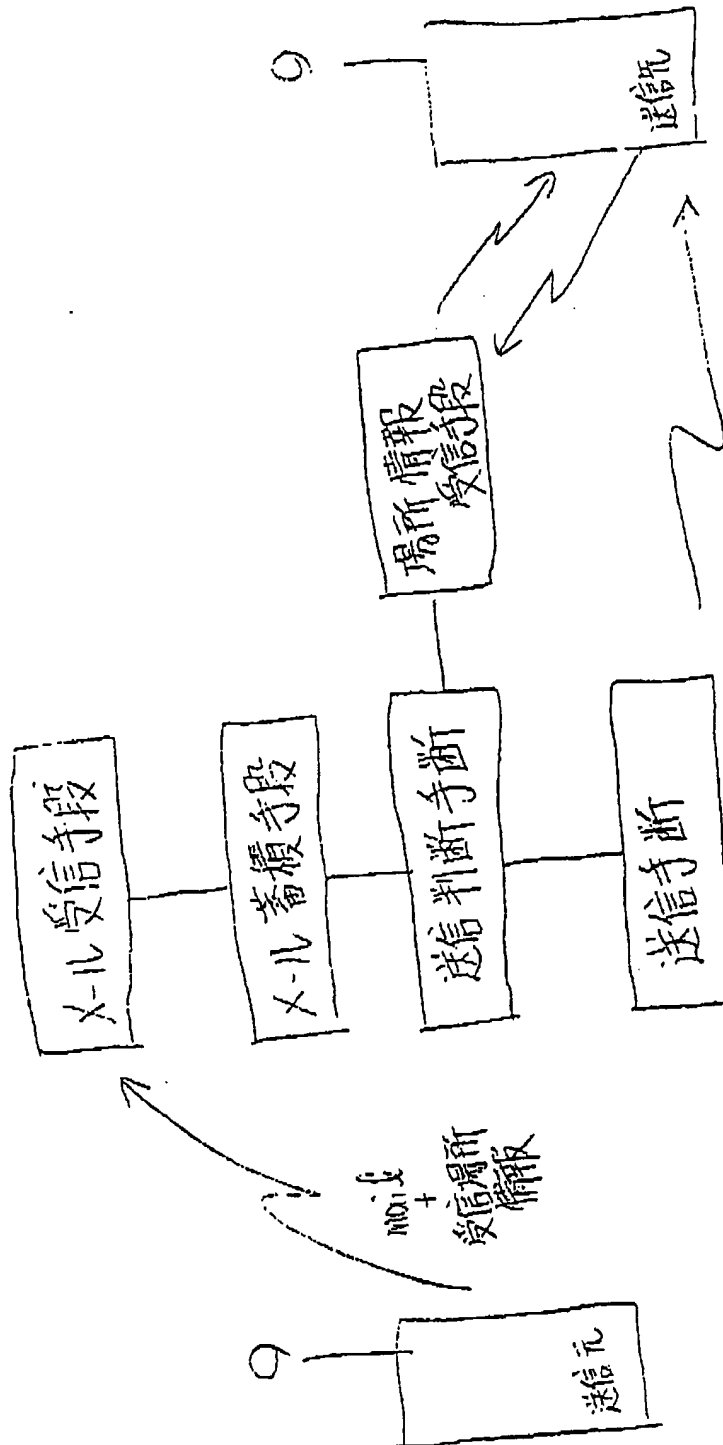
GPSの位置情報
をサーバに送信する

GPSの位置情報
をサーバに送信する

サーバに送信する

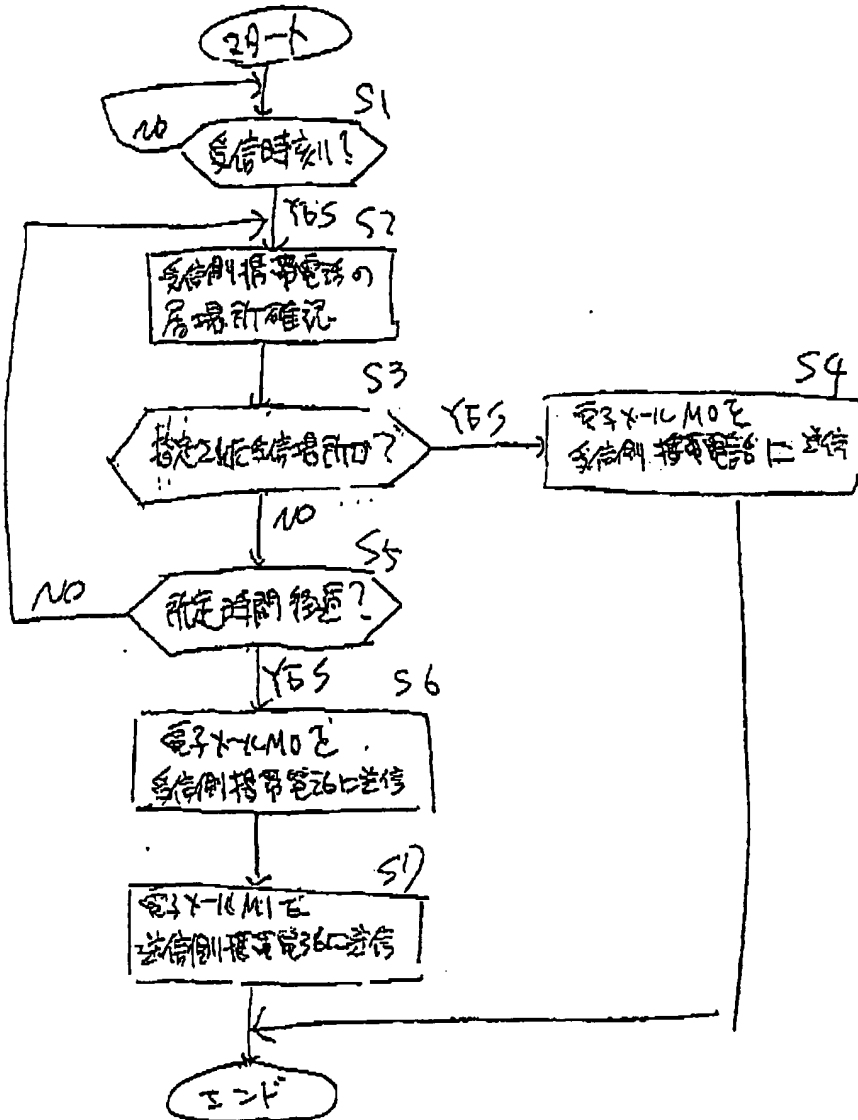
CAMA-1
GPS
位置情報(蓄積済み)
サーバに送信する

メール処理サ-バ



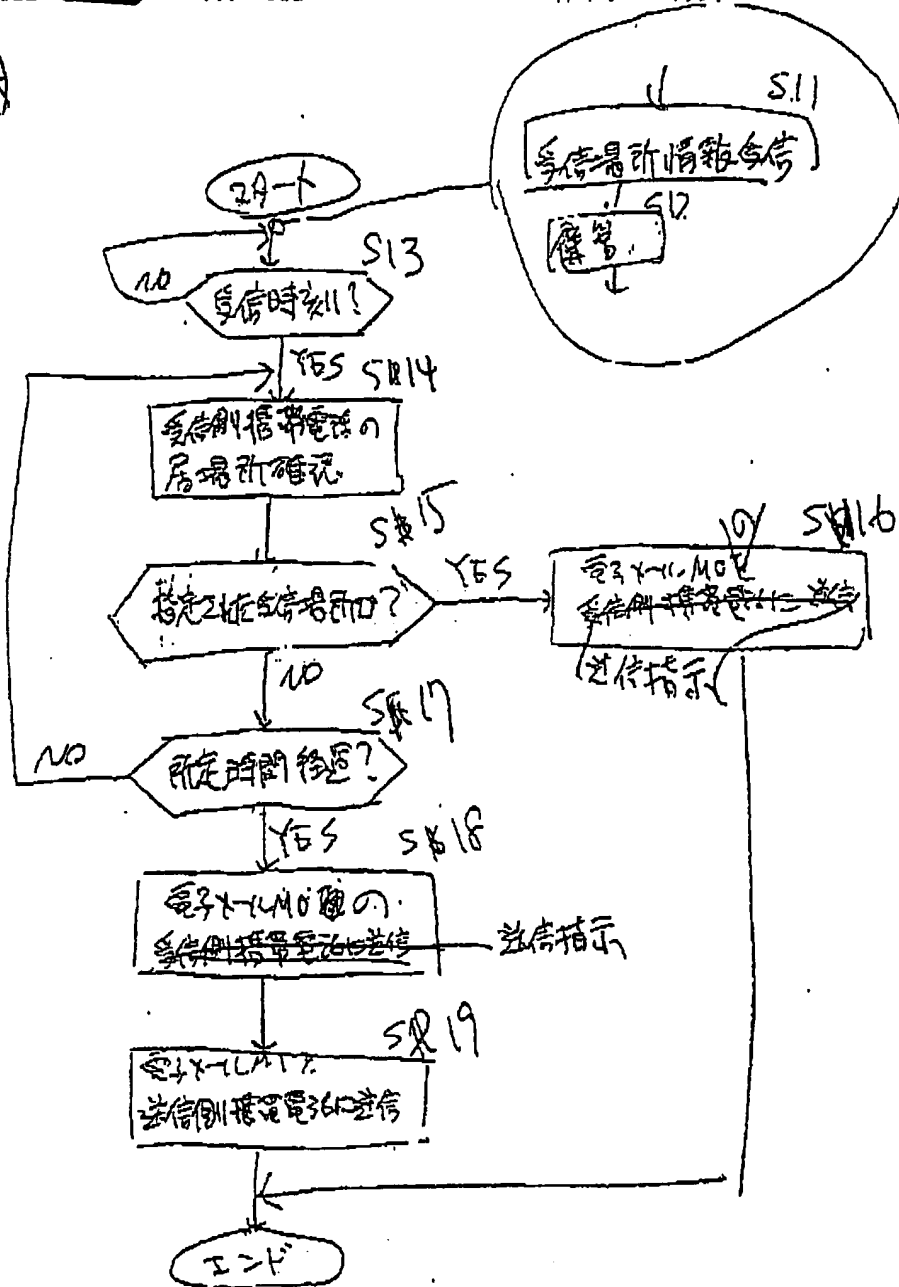
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④

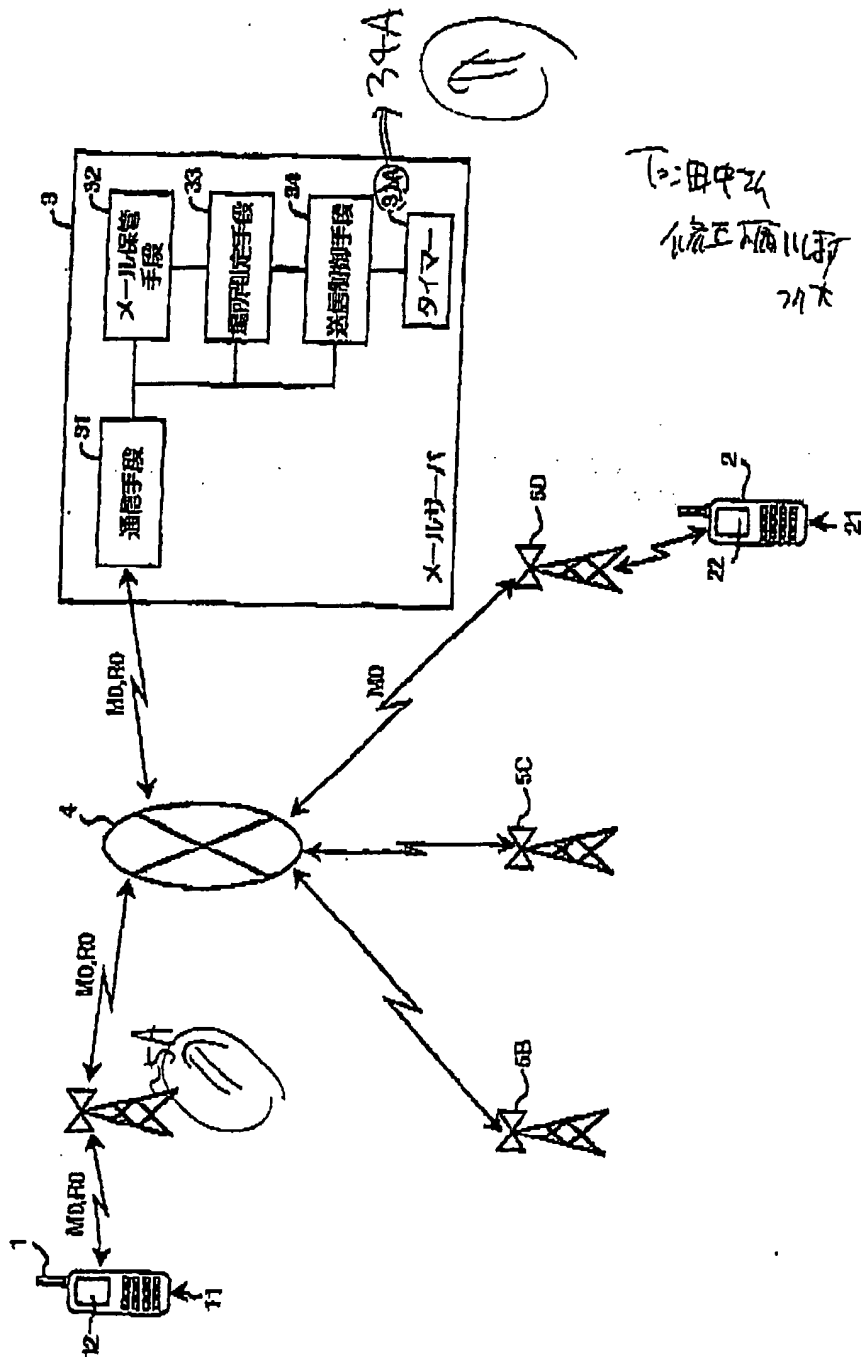
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【圖 4】



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▲ ヤマキ"タ"P.O.フク

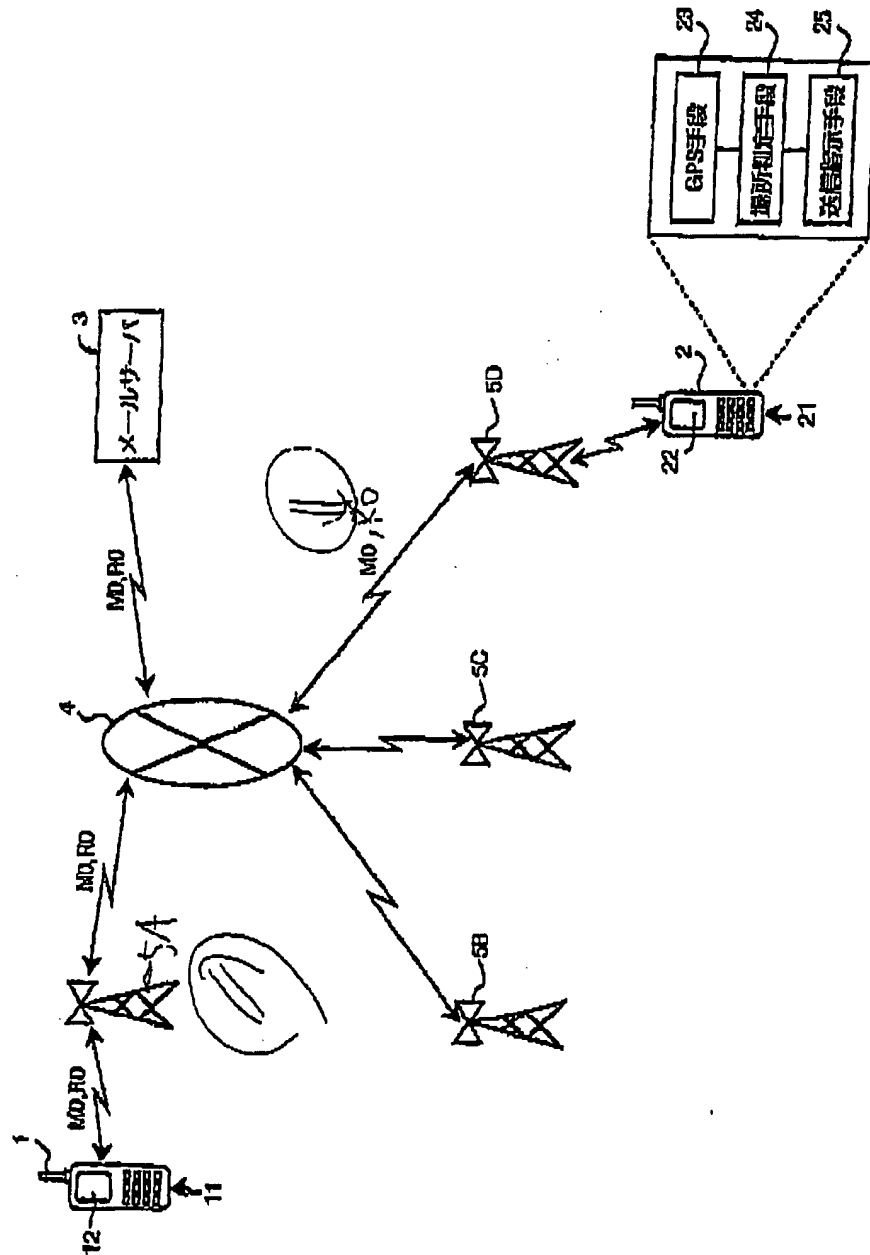
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【図3】

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[REDACTED] Fuji Film Co., Ltd. Intellectual Property Div. (Miyanodai)
Yanagida & Associates (Fukuo) ; 81465852137 # 7/9

To: Intellectual Property Div.

Disclosure of Invention

[REDACTED]
Preparer: R1 Yokouchi

* 1. Name of Invention

System of Sending and Receiving E-mail Messages

*2. Background

*3. Conventional Technology and Problems thereof (Attach Copies of Patent / Document if it is held/issued by other companies)

Ref. No.	No.	Applicant	Remarks
(1)	2001-250183		
(2)	2001-53861		
(3)			
(4)			

(Differences between the present invention and the conventional technology)

*4. Problems to be resolved by the invention

Systems of sending and receiving E-mail messages among mobile terminals already exist.

However, in the above systems, it is not possible to set a reception condition of destination of messages.

The present invention provides a system in which it is possible to set, in particular, a reception location as the reception condition.

[REDACTED] Fuji Film Co., Ltd. Intellectual Property Div. (Miyanodai)
Yanagida & Associates (Fukuo) ; 81465852137 # 8/9

*5. Means of Solving the Problem(s)

When sending E-mail message, "reception location" is set as a reception condition and the E-mail message is sent with the reception location.

The sent message is stored in an E-mail message processing server.

Location information where a recipient terminal exist is obtained from the recipient terminal, and the stored message is sent to the recipient terminal only if the recipient terminal is judged as that it exists within the set "reception location".

(Dependent Claim)

A map is displayed when a location as the "reception location" is set.

A location previously set on a map as the "reception location" is initially displayed.

The server, at regular time intervals, sends instructions to the recipient terminal which is a destination terminal of the stored messages to send location information of the recipient terminal. And, the recipient terminal sends own location information only when it receives the instructions from the server.

If the location information is not sent from the recipient terminal, the server sends the message to the recipient terminal and informs a sender terminal of completion of sending the message.

It is possible to set not only a reception location but also a specific time ?

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Yanagida & Associates (Fukuo); 81465852137 # 9/9

Mail Message Processing Server

Mail Message Reception Means

Mail Message Storage Means

Sender Terminal

Mail Message Sending
Judgment Means

Location Information
Reception Means

Mail Message Sending Means

Sender Terminal

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Yanagida P.O. Fukuo

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②

Start

S1: Reception Time?

S2: Confirm Position of Recipient Mobile Phone

S3: Reception Location?

S4: Send E-Mail M0 To Recipient Mobile Phone

S5: Predetermined Time Elapsed?

S6: Send E-Mail M0 To Recipient Mobile Phone

S7: Send E-mail M1 To Sender Mobile Phone

End

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④

Start

S11: Receive Reception Location Information

S12: Store

S13: Reception Time?

S14: Confirm Potion Of Recipient Mobile Phone

S15: Recipient Location?

S16: Instruct E-Mail M0 Transmission

S17: Predetermined Time Elapsed?

S18: Instruct E-Mail M0 Transmission

S19: Send E-Mail M1 To Sender Mobile Phone

End

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[Fig.1]

3: Mail Server

31: Communication Means

32: Mail Storage Means

33: Position Judgment Means

34: Transmission Control Means

31A⇒34A: Timer

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[Fig.3]

3: Mail Server

23: GPS Means

24: Position Judgment Means

25: Transmission Instruction Means

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